

REMARKS

The claims have been amended by rewriting claims 1, 60,, and 71, canceling no claims and adding no new claims. Claims 1 - 71 remain in the application.

Reconsideration of this application is respectfully requested.

Claim Rejections - 35 U.S.C. § 103:

Claims 1-7, 9-11, 17-31, 33, 34, 60-67,70, and 71 were rejected under 35 U.S.C. § 103 as being unpatentable over Rauhala (US-6,680,919), hereafter simply Rauhala, in view of Granberg et al. (US-6,101,387), hereafter simply Granberg.

Claim 1 is modified 1) by changing "determining that a user in a first geographic zone" to "determining by a user platform of a vehicle that includes a user that the user, while in a first geographic zone" and 2) by changing " downloading to the user..." to "downloading to the user platform, in response to the determination,...". The first change is supported at least at page 13, line 21 to page 14, line 1 of Applicants' specification. The second change is supported at page 11, lines 18-20 of Applicants' specification.

Claim 1 as amended describes "determining by a user platform". Rauhala describes at col. 5, lines "...the user inputs to the MCT 10 or directly to one of the servers 40, 42 an expected future location of the MCT". Thus Rauhala teaches away from amended claim 1 by teaching that the user makes a decision about obtaining information from a second geographic zone, not a user platform as described in Applicants' specification. .

Claim 1 as amended describes "downloading to the user platform at least some journey - related information regarding the second geographic zone...". Rauhala does not characterize the type of information from the second geographic zone in terms of its availability in the second geographic zone, thus teaching away from Rauhala.

Claim 1 teaches downloading information "while the user is at least proximal to an entrance boundary". Granberg, at col. 8 lines 20-22 teaches "as soon as the mobile subscriber

enters a new location area." Similar teachings are found at col. 3, lines 27-30 and col. 8; lines 49-52; Col. 5, lines 12-15; and col. 5, lines 52-58. Col. 3, lines 36-38 of Granberg teach "when the mobile subscriber registers with the second location". Thus, a determination to download information is made, according to Granberg's teachings, when the user platform is receiving signals from the second geographic area. This is substantially different than the determination made in Applicants' invention. For example, as described at page 14, lines 3-7 of Applicants' specification, for Applicants' invention "the user platform 400 can detect that the user 113 has passed at least one predetermined geographic location, which location is somewhat proximal the border 107 of the of the second geographic zone 102." From FIG. 1, it can be seen that this location is within the geographic zone 101 and does not require reception of signals from geographic zone 2. Other methods in Applicants' specification for detecting proximity to the second geographic zone while in the first geographic zone are similarly free of requiring a signal from the second geographic zone: see Applicants' specification page 14, line 187 to page 15, line 17. Thus, Granberg does not describe downloading information "while the user is at least proximal to an entrance boundary", since Granberg's description is different than the area encompassed by Applicants' "proximity". Rauhala makes no mention of a boundary between two geographic locations.

Claim 1 describes "determining by a user platform...which second geographic zone does not have the first communication service." There is no teaching in Granberg that a determination is made that the second geographic zone does not have the first communication service that supports provision of the journey related information. It is described in Granberg that such a situation may exist, but in Granberg's description, the functions of the second geographic zone are simply identified by the second communication service to the mobile subscriber unit or user. This is described in Granberg at col. 5, line 63-65: "Accordingly, the present invention apprises the mobile subscriber of the services currently supported in the location area currently serving the mobile subscriber." Similar statements are made in Granberg at col. 3, lines 27-30; col. 6, lines 15-17; col. 7, lines 34-36; and col. 8, line 20-22. However,

Applicant found no description of a determination being made of differences between the functions in the first and second geographic zones by the user platform (mobile subscriber unit). There is no teaching in Rauhala of "determining by a user platform...which second geographic zone does not have the first communication service."

For these reasons, Applicants believe that Applicants' amended claim 1 is patentable over Rahula in combination with Granberg.

Applicants respectfully traverse the Examiner's rejection of claim 6, even if claim 1 was to be posited as being unpatentable. Applicants believe it is a mischaracterization that "Rauhala further discloses determining the anticipated journey path for the user." (Office Action, page 4, near bottom of page). Rauhala describes at col. 3, lines 43-47 "The NSC 34 may compare the received location information to various maps of the local region and then transmit data representing an appropriate map to the MCT 10. An appropriate map is one that encompasses the current location of the MCT 10." Thus, the journey path for the user is not being anticipated. Rauhala further describes at col. 3, lines 58-60: "It is also within the scope of this invention to enable the user to enter data that specifies a location, and to then download a map corresponding to the specified location." Thus, the journey path is not being anticipated for the user but rather by the user. For these reasons, Applicants believe that neither Rauhala nor Granberg describe the invention in Applicants' claim 6.

Applicants respectfully traverse the Examiner's rejection of claim 33, even if claim 1 was to be posited as being unpatentable. Examiner argues that it is obvious to automatically remove at least portions of the journey related information, basically because Rauhala's invention is described as being performed by a data processor and Examiner's comment that saving memory is obvious. Applicant believes that this is a statement made in hindsight of Applicants' invention. Applicant believes that not all processes for saving memory are a priori obvious.

Applicants believe that changes to amended claim 60 are supportable, and that claim 60 is patentable, for the same reasons as stated above for claim 1.

Applicants believe that changes to amended claim 71 are supportable, and that claim 60 is patentable, for the same reasons as stated above for claim 1.

Applicants believe that claims 2-7, 9-11, 17-31, 33, 34, 61-67 and 70 are patentable inasmuch as each of them ultimately depends upon one of amended claim 1 or 60.

Claims 8, 12-14, and 49-59 were rejected under 35 U.S.C. § 103 as being unpatentable over Rauhala, in view of Granberg and furthering view of Bahl et al. (US-6,386,454), hereafter referred to simply as Bahl.

Applicants believe that claims 8, 12-14, and 49-59 are patentable inasmuch as each of them ultimately depends upon amended claim 1. Furthermore, Applicants believe that claims 8, 12-14, and 49-59 are patentable over Rauhala, Granberg, or Bahl, or any combination thereof.

Claims 15, 16, 32, 36-39, 68, and 69 were rejected under 35 U.S.C. § 103 as being unpatentable over Rauhala, in view of Granberg and furthering view of Dowling et al. (US-6,522,875), hereafter referred to simply as Dowling.

Applicants believe that claims 15, 16, 32, 36-39, 68, and 69 are patentable inasmuch as each of them ultimately depends upon one of amended claims 1 and 60. Furthermore, Applicants respectfully traverse the Examiner's rejection of claim 16, even if claim 1 was to be posited as being unpatentable. Applicants believe that the Examiner has mischaracterized Dowling. The description provided by Dowling at col. 5, lines 3-18 does not describe downloading weather forecast information, nor current weather conditions, but rather downloading information about best or least expensive routes that is derived from data that may include current weather data.

For these reasons, Applicants believe that claims 15, 16, 32, 36-39, 68, and 69 are patentable over Rauhala, Granberg, or Dowling, or any combination thereof.

Claim 35 was rejected under 35 U.S.C. § 103 as being unpatentable over Rauhala, in view of Granberg and further in view of Kamada (US-2002/0123336), hereafter referred to simply as Kamada.

Applicants believe that claim 35 is patentable inasmuch as it ultimately depends upon amended claim 1. Furthermore, Applicants respectfully traverse the Examiner's rejection of

claim 35, even if claim 1 was to be posited as being unpatentable. The provision of an expiration time in Kamada as described in [0023] "Because the software is automatically erased when the expiration date has arrived, the user who wants to use the same software again must purchase the software again. This allows the software vendor to virtually manage the software after the sale. In this way, information that will likely lose validity over time can be purged from the system regardless of whether the user has yet obtained a position that corresponds with the journey-related information. In addition, setting an expiration date makes it possible to provide software at lower costs." Applicants' specification at page 17, lines 8-11, describes "In this way, information that likely will lose validity over time can be purged from the system regardless of whether the user has yet obtained a position that corresponds with the journey-related information in question." Thus, Kamada's method concerns software while Applicants claim concerns information. Further, Kamada's motivation is not applicable to Applicants' invention.

For these reasons, Applicants believe that claim 35 is patentable over Rauhala, Granberg, or Kamada, or any combination thereof.

Claims 40-47 were rejected under 35 U.S.C. § 103 as being unpatentable over Rauhala, in view of Granberg and further in view of Burton et al. (US-2002/0055878), hereafter referred to simply as Burton.

Applicants believe that claims 40-47 are patentable inasmuch as they ultimately depend upon amended claim 1. Furthermore, Applicants respectfully traverse the Examiner's rejection of claim 41, even if claim 1 was to be posited as being unpatentable. The Examiner cites paragraph [0169] of Burton as describing this, but Applicants find nothing in the Examiner cited paragraph [0169] that describes Applicants' claimed "downloading to the user pursuant to user-based downloading criteria that includes data compression information" (Applicants' claim 41). Applicants believe that paragraph [0169] of Burton describes a compressed text format or a non-compressed text format, but that there is no description of determining which to use based on "user-based downloading criteria". Applicants believe, after reading the text all occurrences

of the term "compression" in Burton, that Burton does not describe how a compression format is selected.

For these reasons, Applicants' believe that claim 41 is patentable over Rauhala, Granberg, or Burton, or any combination thereof.

Applicants believe that claim 46 is patentable inasmuch as it ultimately depends upon amended claim 1. Furthermore, Applicants respectfully traverse the Examiner's rejection of claim 46, even if claim 1 was to be posited as being unpatentable. The Examiner cites paragraph [0369] of Burton as describing "downloading to the user pursuant to user-based downloading criteria that includes at least one data presentation specification specifying at least one audible conveyance of information" (Applicants' claim 46), but Applicants' find nothing in the Examiner cited paragraph [0169] that compares to Applicants' description in claim 46. Applicants believe that paragraph [0169] of Burton describes the use of audible conveyance of information, but that there is no description of determining to use audible conveyance of information based on "user-based downloading criteria".

For these reasons, Applicants' believe that claim 46 is patentable over Rauhala, Granberg, or Burton, or any combination thereof.

Applicants believe that claim 47 is patentable inasmuch as it ultimately depends upon amended claim 1. Furthermore, Applicants respectfully traverse the Examiner's rejection of claim 47, even if claim 1 was to be posited as being unpatentable. The Examiner cites paragraphs [0017] and [0114] of Burton as describing "downloading to the user pursuant to user-based downloading criteria that includes at least one data presentation specification specifying at least one audible conveyance of information" (Applicants' claim 46), but Applicants' find nothing in the Examiner cited paragraph [0169] that compares to Applicants' description in claim 47. Applicants believe that paragraph [0169] of Burton describes the use of audible conveyance of information, but that there is no description of determining to use audible conveyance of information based on "user-based downloading criteria".

For these reasons, Applicants' believe that claim 47 is patentable over Rauhala, Granberg, or Burton, or any combination thereof, and further that all of claims 40-47 are patentable over Rauhala, Granberg, or Kamada, or any combination thereof.

The Applicants note the art cited, but not relied upon by the Examiner.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Applicant notes that any amendments or claim cancellations made herein and not substantively discussed above are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such amendments or cancellations not substantively discussed. Furthermore, any remarks made herein with respect to a given claim or amendment are intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Applicant specifically reserves the right to prosecute claims of differing and broader scope than those presented herein, in a continuation application.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 502117, Motorola, Inc.

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